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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,340	02/17/2004	Daryl B. Olander	BEAS-01402US1	9959
23910 7590 09/17/2007 FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108			EXAMINER LUDWIG, MATTHEW J	
			ART UNIT 2178	PAPER NUMBER
			MAIL DATE 09/17/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/780,340

Applicant(s)

OLANDER ET AL.

Examiner

Matthew J. Ludwig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/27/07</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is in response to the Request for Continued Examination received 6/27/2007.
2. Claims 1-51 are pending in the application. Claims 1, 11, 21, 31, 40, 41, and 42, are independent claims.
3. Claims 1-51 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Stone et al., USPN 6,804,686.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stone et al., USPN 6,804,686 filed (9/10/02).**

**In reference to independent claim 1, Stone teaches:**

The UML manager interacts with the repository to build the model and the diagrams to be displayed to the developer or user. The model is a data structure that is built by the UML manager based upon the relationship information contained in the repository (compare to “a controller operable to accept the communication and provide the communication to the model”). See column 11, lines 45-67.

When built, the model contains objects describing all of the relationships between classes of a software application or system. The UML manager then uses objects in the model to

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generate UML diagrams for display to a developer or user via the user interface (compare to “the model operable to perform processing of the request and to determine a page to rendered”). See column 11, lines 50-59.

The browser also includes features enabling a user to elect to view UML information regarding a particular source module or file (compare to “the page operable to provide a response based on the request”). See column 11, lines 55-67.

The UML browser also supports diagramming of reverse dependencies from classes to Java Server Pages (compare to “wherein the page belongs to a page group”). See column 18, lines 40-47.

The reference to Stone discloses Java files and a UML browser that supports diagramming of reverse dependencies from classes to Java Server Pages (JSPs). A Java bean generated using a JSP wizard can be linked to the JSP that uses this Java Bean. See column 18, lines 28-67. The characteristics of Java makes it a useful language for programming Web applications, since users access the Web from many types of computers. Java is used for programming small applications, or applets, for the world wide web. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have utilized the Java programming methods taught by Stone and provided the Java source code as a description of a web page/application within the browser for enhanced interactivity of web pages.

**In reference to dependent claim 2,** Stone teaches:

Data members and methods of the current class are displayed in this center region of the user interface. See column 12, lines 6-17.

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**In reference to dependent claim 3, Stone teaches:**

By using the browser features of the present invention, the developer is able to navigate to any of the related classes, which will result in a UML diagram that has the newly selected class in the center of the diagram. See column 12, lines 10-30.

**In reference to dependent claim 4, Stone teaches:**

The structure pane displays the structure of the file currently selected in the content pane. The file structure is displayed in the form of a tree showing the members and fields in the selected file. In addition to providing a view of the structure of the class, the structure pane facilitates navigating to a class, or its methods or members, in the source code. See column 9, lines 54-67.

**In reference to dependent claim 5, Stone teaches:**

In addition to providing a view of the structure of the class, the structure pane facilitates navigating to a class, or its methods or members, in the source code. See column 9, lines 54-67.

**In reference to dependent claim 6, Stone teaches:**

The UML diagram comprises a hierarchical view of relationships between the selected file and other files of the program having a plurality of nodes. See column 4, lines 55-67.

**In reference to dependent claim 7, Stone teaches:**

The content pane provides access to various file views as well as status information by way of file view tabs and a file status bar. Each of the file view tabs shown at the bottom of the content pane provides a different view of the open file. The file view tabs are context sensitive. See column 10, lines 8-19.

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**In reference to dependent claim 8-10**, Stone teaches:

When built, the model contains objects describing all of the relationships between classes of a software application or system. The UML manager then uses objects in the model to generate UML manager for display to a developer or user via the user interface. See column 11, lines 45-67.

**In reference to claims 11-20**, the claims reflect the system for carrying out similar instructions as those claimed in 1-10. Therefore, the claims are rejected under similar rationale.

**In reference to claims 21-40**, the claims reflect the system for carrying out similar instructions as those claimed in 1-10. Therefore, the claims are rejected under similar rationale.

**In reference to claims 41-51**, the claims reflect the machine-readable medium having instructions stored thereon that when executed by a processor cause a system to carry out similar methods as those claimed in 1-10. Therefore, the claims are rejected under similar rationale.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-51 have been considered but are not persuasive.

Applicant argues on page 12 of the amendment that it would not have been obvious to extend the UML system of Stone to produce a web page system as claimed. However, because the claim limitations are to be given their broadest reasonable interpretation within the scope of the art, the claims fail to preclude the Examiner from utilizing the browser methods and more importantly, the Java methods of Stone to suggest a web page belonging to a web page group or file. The reference to Stone discloses Java files and a UML browser that supports diagramming



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of reverse dependencies from classes to Java Server Pages (JSPs). A Java bean generated using a JSP wizard can be linked to the JSP that uses this Java Bean. See column 18, lines 28-67. The characteristics of Java makes it a useful language for programming Web applications, since users access the Web from many types of computers. Java is used for programming small applications, or applets, for the world wide web. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have utilized the Java programming methods taught by Stone and provided the Java source code as a description of a web page/application within the browser for enhanced interactivity of web pages.

The independent claims, as presently claimed, provide language that determines a web page to be rendered, however, no web page is provided, which means the Examiner is interpreting the limitations as a method of accessing source code and modifying source code (Java) and creating forms, web pages, etc. The Examiner listed the limitations below so applicant could be provided with examples of the broad claim language.

***Determine a web page to be rendered*** (would be the work performed by a developer when the developer creates web pages for a site)

***The page operable to provide a response based on the request*** (interpreted broadly, the limitation seems to be directed to a piece of code which has the capability of providing some type of response based upon a request)

***Wherein the web page belongs to a group*** (the source code providing associations of files or pages to present in a web application).

The claims contain language such as 'capable of', 'operable to', 'can be', 'can raise', which leave the claims, when read as a whole, open to multiple interpretations. The Examiner

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maintains the 35 U.S.C. 103(a) rejection as the language fails to overcome the prior art reference to Stone and the Java files/UML browser taught by the primary reference.

***Conclusion***

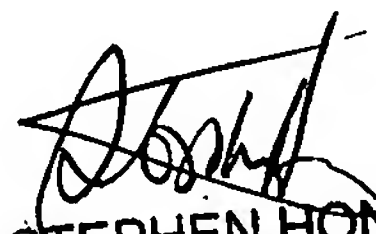
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127.

The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML

  
STEPHEN HONG  
SUPERVISORY PATENT EXAMINEE